

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF MISSOURI  
WESTERN DIVISION

LOCAL UNION NO. 124 IBEW PENSION  
TRUST FUND, et al.,

Plaintiffs,

v.

LAN-TEL COMMUNICATIONS SERVICES, INC.,

Defendant.

No. 4:18-cv-00221-BCW

**PLAINTIFFS' DESIGNATION OF EXHIBITS**

COME NOW Plaintiffs, by and through their attorneys of record, and submits its Exhibit

List for Trial as follows:

- A. *Letter of Assent* stipulation effectively dated May 9, 2011, signed by Scott Niemeyer on behalf of Defendant Lan-Tel Communications Services ("Lan-Tel"). (2 pages)
- B. Missouri Voice, Data, Video/Security Agreement between Local Unions #1, #95, #124, #257, #350, #453 and #545 of the International Brotherhood of Electrical Workers and the St. Louis and Kansas City Chapters of the National Electrical Contractors Association effective 3/1/10. (71 pages)
- C. Missouri Voice, Data, Video/Security Agreement Addendum for Local Union No. 124 IBEW and Kansas City Chapter, NECA/Effective 5/30/11 – 5/31/13. (34 pages)
- D. Missouri Voice, Data, Video/Security Agreement Addendum for Local Union No. 124, IBEW and Kansas City Chapter, NECA/Effective 9/1/13 – 8/28/16. (33 pages)
- E. Missouri Voice, Data, Video/Security Agreement Addendum for Local Union No. 124, IBEW and Kansas City Chapter, NECA/Effective 12/26/16 – 11/27/2019. (36 pages)
- F. Audit Comments and Variances of Lan-Tel prepared by Construction Benefits Audit Corporation for the period July 1, 2014 through June 30, 2018. (12 pages)
- G. Agreement and Declaration of Trust of the Local Union No. 124 IBEW Pension Trust Fund with Amendments 1-3. (26 pages)
- H. Agreement and Declaration of Trust of the Local Union No. 124 IBEW- NECA Annuity and 401(k) Trust Fund with Amendment 1. (23 pages)
- I. Agreement and Declaration of Trust of the IBEW Local Union No. 124 Health and Welfare Fund. (22 pages)
- J. Agreement and Declaration of Trust of the Local Union No. 124 IBEW Vacation & Holiday Trust Fund. (29 pages)

- K. First Revised and Restated Agreement and Declaration of Trust of the Electrical Joint Apprenticeship and Training Trust Fund. (35 pages)
- L. Restated Employees Benefit Agreement and Trust for the National Electrical Benefit Fund dated January 1, 1998. (17 pages)
- M. Local Union No. 124 International Brotherhood of Electrical Workers and Kansas City Chapter, National Electrical Contractors Association, Inc. Labor-Management Cooperation Trust Agreement with Amendments 1-2. (18 pages)
- N. Local Union No. 124 IBEW Pension Trust Fund - Resolution Regarding Liquidated Damages and Interest Assessments. (5 pages)
- O. Local Union No. 124 IBEW –NECA Annuity and 401(k) Trust Fund -Resolution Regarding Liquidated Damages and Interest Assessments. (5 pages)
- P. IBEW Local Union No. 124 Health and Welfare Fund - Resolution Regarding Liquidated Damages and Interest Assessments. (5 pages)
- Q. Local Union No. 124 IBEW Vacation & Holiday Trust Fund - Resolution Regarding Liquidated Damages and Interest Assessments. (5 pages)
- R. Electrical Joint Apprenticeship and Training Trust Fund - Resolution Regarding Liquidated Damages and Interest Assessments. (5 pages)
- S. Remittance Reports prepared by Lan-Tel for the months of July 2014 through June 2018. (Approx. 100 pages)
- T. Plaintiffs First Request for Admissions to Lan-Tel dated December 3, 2018. (59 pages)

Respectfully Submitted,

ARNOLD, NEWBOLD, SOLLARS & HOLLINS, P.C.

/s/ John J. Westerhaus

John J. Westerhaus, No. 65266  
1100 Main Street, Suite 2001  
Kansas City, Missouri 64105  
Telephone: 816-421-5788  
Facsimile: 816-471-5574  
*Attorneys for Plaintiffs*

### **CERTIFICATE OF SERVICE**

I hereby certify that on June 6, 2019, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which sent notification of such filing to the following: Mr. Eric Roby, McELLIGOTT, EWAN, HALL & KIMMINAU, P.C., Attorney for Defendant.

/s/ John J. Westerhaus \_\_\_\_\_  
John J. Westerhaus